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PATENT  
Attorney Docket No. F8-5460

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DE GHELDERE et al.

Serial No: 09/325,599

Filed: June 3, 1999

Examiner: Ivars C. Cintins

Art Unit: 1724

For: PROCESSING SET AND METHODS  
FOR PROCESSING AND TREATING  
A BIOLOGICAL FLUID

Commissioner for Patents  
Washington, D.C. 20231

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*Christine Barglik*

Date: October 6, 2000

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Office Action (restriction requirement) of September 7, 2000 in the above-identified patent application, Applicants provisionally elect the claims of Group I (Claims 1-11) with traverse, and request that the Examiner reconsider and withdraw the restriction requirement for the reasons set forth below. In the event that the restriction requirement is not withdrawn, Applicants reserve the right to pursue the non-elected claims of Group II (Claims 12-23) in a later application.

Applicants respectfully submit that the subject matter of the Group I claims is sufficiently related to the subject matter of the

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Group II claims to allow for examination of all of the claims together. For example, Claim 1 is directed to a disposable fluid processing set for treating a biological fluid wherein the processing set includes, among other things, a container for containing the biological fluid during treatment and a container for receiving the biological fluid after treatment with a tubing, defining an openable flow path, connecting the containers. Claim 12 is directed to a method for providing a substantially pathogen-free biological fluid that includes the step of providing a disposable fluid processing set. The processing set includes, at least, a first container integrally connected to a second container. Claim 12 further recites the steps of treating the biological fluid in the first container and transferring the biological fluid to the second container. Thus, both groups of claims relate to treatment of a biological fluid wherein the fluid treated in one container is transferred to or received by another container.

For at least these reasons, the common subject matter of the claims warrants examining all of the claims together. Such a

single examination would not create any serious burden on the Patent Office and, in fact, may even be more economical.

Respectfully submitted,



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